

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:
RBC Transport Dynamics Corporation
3131 Segerstrom Avenue
Santa Ana, California 92704-5872

Docket HWCA20071424

CONSENT ORDER

EPA ID No. CAD 046 057 063
Respondent.

Health and Safety Code
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and RBC Transport Dynamics Corporation (Respondent) enter into this Consent Order (Order) and agree as follows:

1.2. Site. Respondent generates, handles, treats, stores, and/or disposes of hazardous waste at the following site: 3131 Segerstrom Avenue, Santa Ana, California 92704 (Site).

1.3. Inspection. The Department inspected the Site on March 6-7, 2007.

1.4. Jurisdiction. Health and Safety Code, section 25187, authorizes the Department to order action necessary to correct violations and to assess a penalty when the Department determines that any person has violated specified provisions of the Health and Safety Code or any permit, rule, regulation, standard, or requirement issued or adopted pursuant thereto.

1.5. Full Settlement. This Order shall constitute full settlement of the violations alleged below. The Parties, and each of them, agree that this Order, and all of the terms contained herein, are fair, reasonable, and in the public interest. By agreeing to

this Order, the Department does not waive any right to take other enforcement actions except as specifically provided in this Order.

1.6. Hearing. Respondent waives any and all rights to a hearing in this matter.

1.7. Admissions. Respondent admits the violations as alleged in Section 2 below.

2. VIOLATIONS ALLEGED

2.1. The Department alleges the following violations:

2.1.1. The Respondent violated California Health and Safety Code, section 25201(a) in that rinse waters which contain cyanide from the plating of parts with cadmium were being treated by evaporation at a point not authorized for the treatment and in that waste resins were cured at a point not authorized for the treatment of hazardous wastes.

2.1.2. The Respondent violated title 22, California Code of Regulations, section 67450.3(c)(9)(F) and section 66265.192 in that a complete assessment of the tanks and containment of the waste treatment system was not conducted. The December 5, 2003 assessment was missing all of the elements listed in section 66265.192(k). Additionally, the December 5, 2003 assessment did not address the integrity and containment of the waste collection sump in the plating room.

3. SCHEDULE FOR COMPLIANCE

3.1. Respondent has corrected all of the violations set forth above.

3.2. Respondent shall make all payments at the time(s) and in accord with any other conditions set forth in Section 5 (Penalty) below.

4. OTHER PROVISIONS

4.1. Liability. Nothing in this Order shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of past, current, or future operations of Respondent, except as provided in this Order. Notwithstanding compliance with the terms of this Order, Respondent may be required to take such further actions as are necessary to protect public health or welfare or the environment.

4.2. Penalties for Noncompliance. Failure to comply with the terms of this Order may subject Respondent to costs, penalties and/or damages, as provided by Health and Safety Code, section 25188, and other applicable provisions of law.

4.3. Parties Bound. This Order shall apply to and be binding upon Respondent and its officers, directors, agents, employees, contractors, consultants, receivers, trustees, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations, and upon the Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Order.

4.8. Integration. This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this Order.

5. PENALTY

5.1. Respondent shall pay the Department the total sum of \$10,500, of which \$10,500 is a penalty.

6. EFFECTIVE DATE

6.1. The effective date of this Order is the date it is signed by the Department.

Dated: 8/20/07

Original signed by Daryl Cousins

Respondent

Daryl Cousins, M.E.

Printed Name and Title, Respondent

Dated: 9-4-07

Original signed by Maria Soria

Maria Soria, Unit Chief
State Oversight and Enforcement Branch
Department of Toxic Substances Control